

**STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ON S. 867 AND H.R. 299, TO ADJUST THE BOUNDARY OF LOWELL NATIONAL HISTORICAL PARK, AND FOR OTHER PURPOSES.**

**SEPTEMBER 27, 2007**

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Mr. Chairman, members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 867 and H.R. 299, bills to adjust the boundary of Lowell National Historical Park, and for other purposes.

The Department supports enactment of these bills.

These bills would authorize the Secretary of the Interior to acquire five small tracts of land, totaling less than one acre, and to include these tracts in the boundary of the Lowell National Historical Park. These five small parcels are important to the park's operation.

Lowell National Historical Park preserves and interprets the nationally significant historic and cultural sites, structures and districts in Lowell, Massachusetts, that represent the most significant planned industrial city in the United States and symbolize, in physical form, the Industrial Revolution. The park tells the human story of the Industrial Revolution and the changing role of technology in a 19<sup>th</sup> and 20<sup>th</sup> century setting. The cultural heritage of many of the ethnic groups that immigrated to the United States during the 19<sup>th</sup> and early 20<sup>th</sup> century, and which continues today, is still preserved in Lowell's

neighborhoods. The park provides a vehicle for economic progress in the community, encouraging creative and cooperative preservation and interpretive programs.

The tracts included in this bill are needed to complete development of the Canalway, a linear park and walkway along Lowell's 5.6-mile historic power canal system. The acquisition of these tracts will provide the access points necessary for development, maintenance, and visitor protection in order to complete the Canalway. Approximately two miles of the walkway along Lowell's 5.6-mile canal system remain incomplete. Acquisition rights and associated boundary changes are needed to ensure that park visitors will have access to the entire system and to give the park the right to develop and maintain these canal walkways.

S. 867 and H.R. 299 would authorize the Secretary to acquire the tracts in fee, or by easement, purchase or donation, and if necessary, by means of condemnation. The original 1978 legislation establishing Lowell National Historical Park contains condemnation authority for the Secretary and the now defunct Lowell Historic Preservation Commission. The National Park Service (NPS) inherited the assets of the Commission when it ceased operations in 1995. Although condemnation authority has not been used in 20 years, it is needed now because NPS has been unable to obtain clear title to one of these small tracts through the usual means of title and record searches.

Dating back to the 1800s, tract ownership is uncertain and NPS has not been able to locate or determine the owners. The NPS would use condemnation authority to gain

clear title only if owners of the parcels cannot be identified after further attempts through notice in local newspapers is unsuccessful. The Lowell City Council will be consulted and condemnation authority will be used only with its concurrence, as required in the park's enabling legislation. If the Lowell City Council would oppose our intention to use condemnation authority, the park would not proceed.

As has been the practice of the Lowell National Historical Park throughout its Canalway acquisition program, donated easements and fee acquisition will be sought as a first course of action. In the event that property owners are unwilling to donate fee or easement rights, funding for these acquisitions will be sought through public and private funding sources. This bill will not result in any increases to operational costs for the park.

The proposed legislation is supported by the Commonwealth of Massachusetts, the City of Lowell, the Lowell Historic Board, and the Lowell Plan/Lowell Development and Financial Corporation.

Mr. Chairman that concludes my testimony and I will be happy to answer any questions from you or members of the subcommittee.